

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

VS.

KIMBERLY MUNDELL,

Defendant.

8:07CR250

ORDER

This matter is before the court on the joint motion of defendant Kimberly Mundell (Mundell) and the government to continue the trial of this matter. The motion was orally made during a hearing before the undersigned magistrate judge on August 20, 2007. Mundell agreed to the motion and understood the additional time required by the motion would be excludable time under the Speedy Trial Act. The motion is granted. Trial of this matter is re-scheduled for **October 23, 2007**, before Judge Laurie Smith Camp and a jury. The ends of justice have been served by granting such motion and outweigh the interests of the public and the defendant in a speedy trial. The additional **time** arising as a result of the granting of the motion, i.e., the time between **August 20, 2007 and October 23, 2007**, shall be deemed **excludable** time in any computation of time under the requirement of the Speedy Trial Act for the reason that defendants' counsel require additional time to adequately prepare the case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(A) & (B).

IT IS SO ORDERED.

DATED this 20th day of August, 2007.

BY THE COURT:

s/Thomas D. Thalken
United States Magistrate Judge